

On March 12, 1941, the United States attorney for the District of New Jersey filed a libel against 43 bottles and 13 jugs of vegetable oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about November 20 and December 2, 1940, and January 14, 1941, by Saporito Pure Oil Co. from Brooklyn, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: (Bottles) "Saporito Brand Sublime Fine Oil"; (jugs) "Saporito Brand Superfine Oil"; and (both) "Choice Corn and Imported Olive Oil."

The article was alleged to be adulterated (1) in that an artificially flavored and artificially colored mixture of cottonseed oil and an oil similar to corn oil, containing little or no olive oil, had been substituted wholly or in part for "Choice Corn and Imported Olive Oil," which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and color; (3) in that artificial flavor and color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was; and (4) in that it contained a coal-tar color other than one from a batch that had been certified in accordance with regulations as provided by law.

The article was alleged to be misbranded (1) in that the statement "Choice Corn and Imported Olive Oil" was false and misleading as applied to such a product; (2) in that it was an imitation of another food, olive oil, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter the name of the food imitated; and (3) in that it contained artificial flavoring and did not bear labeling stating that fact.

On June 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CANDY

2290. Adulteration of candy. U. S. v. Albert Boggiano (Independent Candy Co.).
Plea of guilty. Fine, \$100. (F. D. C. No. 2982. Sample Nos. 39437-E to 39441-E, incl., 39449-E to 39451-E, incl.)

Samples of this product were found to contain rodent hairs and excreta, insects, insect fragments, and larvae.

On May 13, 1941, the United States attorney for the Western District of Tennessee filed an information against Albert Boggiano, trading as Independent Candy Co., Memphis, Tenn., alleging shipment within the period from on or about September 4 to on or about October 12, 1940, from the State of Tennessee into the State of Arkansas of quantities of candy that was adulterated. The article was labeled in part variously: "Big Jim Candy Bar," "Big Sticks Assorted," "Big Joe Peppermint Stick," "Big Joe Peanut Butter Stick," and "Cocoanut Squares."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On June 28, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$100.

2291. Adulteration of candy. U. S. v. 35 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 5008. Sample No. 40829-E.)

This product contained rodent hairs.

On June 28, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 35 boxes of candy at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about May 23, 1941, by Close & Co. from Chicago, Ill.; and charging that it was adulterated. It was labeled in part: (Boxes) "United All American Pop."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2292. Adulteration of candy. U. S. v. 54 Boxes and 27 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 4840, 5152. Sample Nos. 42440-E, 51344-E.)

Examination showed this product to contain rodent excreta and rodent hairs.

On May 28 and July 16, 1941, the United States attorneys for the District of Maine and the Western District of Pennsylvania filed libels against 54

boxes of candy at Waterville, Me., and 27 boxes of candy at Homestead, Pa., alleging that the article had been shipped in interstate commerce on or about March 19 and May 21, 1941, by D'Orlando & Co. from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part; "Joan Dee Candies Assortment" or "100 Count Pie Plates."

On June 17 and August 22, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

2293. Adulteration of candy. U. S. v. 30 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 5020. Sample No. 29847-E.)

This product contained insects and rodent hairs.

On June 26, 1941, the United States attorney for the Southern District of Indiana filed a libel against 30 cartons of candy at Richmond, Ind., alleging that the article had been shipped in interstate commerce on or about May 13, 1941, by the Bavey Co. from Xenia, Ohio; and charging that it was adulterated. The article was labeled in part: (Cartons) "Captain Chocolate Drops."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On August 8, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2294. Adulteration of candy. U. S. v. 1½ Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3829. Sample No. 37311-E.)

This product contained rodent hairs and insect fragments.

On February 15, 1941, the United States attorney for the Middle District of Georgia filed a libel against 1½ cartons of candy at Macon, Ga., alleging that the article had been shipped in interstate commerce on or about November 28, 1940, by S. H. Kress & Co. from Columbia, S. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The cartons of candy were labeled in part: "22 lbs. Peanut Squares."

On March 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2295. Adulteration of candy. U. S. v. 10 Cases and 8 Cases of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3542. Sample No. 37720-E.)

This product contained rodent hairs and insect fragments.

On December 19, 1940, the United States attorney for the Middle District of North Carolina filed a libel against 18 cases of candy at Salisbury, N. C., alleging that the article had been shipped in interstate commerce on or about November 20, 1940, by the Meadors Manufacturing Co. from Greenville, S. C.; and charging that it was adulterated. The article was labeled in part: "72 Assorted Fudge" or "72 Chocolate M M Squares."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 5, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2296. Adulteration of candy. U. S. v. 222 Cartons, 84 Cartons, 25 Boxes, 28 Boxes, and 80 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 4855, 5018, 5261, 5278, 5350. Sample Nos. 51395-E, 51396-E, 56556-E to 56558-E, incl., 59524-E, 59526-E, 59527-E, 69540-E.)

Examination of this product showed that it was contaminated with filth. All lots contained rodent hairs, and certain lots also contained insect fragments and rodent excreta.

Between June 2 and August 12, 1941, the United States attorneys for the Eastern District of New York, the District of Columbia, the District of Maryland, and the District of Massachusetts filed libels against the following amounts of candy: 306 cartons at Brooklyn, N. Y.; 25 boxes at Washington, D. C.; 28 boxes at Baltimore, Md.; and 80 boxes at Cambridge, Mass., alleging that the article had been shipped by F. M. Paist Co. from Philadelphia, Pa., within the period from on or about April 11 to on or about July 22, 1941; and charging that it